

# HOUSE JOURNAL

## OF THE

# IDAHO LEGISLATURE

SECOND REGULAR SESSION  
SIXTY-FIRST LEGISLATURE

**FIFTY-SEVENTH LEGISLATIVE DAY**  
**MONDAY, MARCH 5, 2012**

House of Representatives

The House convened at 10:30 a.m., the Speaker in the Chair.

Roll call showed 69 members present.  
Absent and excused – Lacey. Total – 1.  
Total – 70.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Rachel Uhlenkott, Page.

### Approval of Journal

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Fifty-fourth Legislative Day and recommend that same be adopted as corrected.

WILLS, Chairman

Mr. Wills moved that the report be adopted. Seconded by Mr. Burgoyne. Report adopted.

### Consideration of Messages from the Governor and the Senate

THE OFFICE OF THE GOVERNOR  
EXECUTIVE DEPARTMENT  
BOISE, IDAHO

### CERTIFICATE OF APPOINTMENT

KNOW ALL MEN, by these Presents that R. J. Harwood, State Representative, District 2, House Seat B, Benewah, Bonner, Kootenai, and Shoshone Counties, State of Idaho, pursuant to the provisions of Section 59-917, Idaho Code, has nominated Kenneth B. DeVries of St. Maries, Idaho, to perform the duties of this office temporarily as Acting State Representative.

NOW, THEREFORE, I, C.L. "BUTCH" OTTER, Governor of the State of Idaho, by virtue of the authority vested in me by Section 59-917, Idaho Code, do hereby appoint Kenneth B. DeVries, Acting State Representative, District 2, House Seat B, Benewah, Bonner, Kootenai, and Shoshone Counties, State of Idaho, for a term commencing on March 5, 2012, and continuing until the incumbent shall resume the performance of the duties.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Idaho.

Done at Boise, the Capital of Idaho, this 29th day of February, in the year of our Lord two thousand and twelve and

of the Independence of the United States of America, the two hundred and thirty-sixth year.

/s/ C.L. "BUTCH" OTTER  
Governor  
/s/ BEN T. YSURSA  
Secretary of State

The Certificate of Appointment was ordered filed in the office of the Chief Clerk.

The Speaker announced the oath of office had previously been administered to Kenneth B. DeVries.

OFFICE OF THE GOVERNOR  
Boise

March 2, 2012

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 385](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

OFFICE OF THE GOVERNOR  
Boise

March 2, 2012

The Honorable Lawrence Denney  
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House bill, to wit:

[H 409](#)

As Always - Idaho, "Esto Perpetua"  
/s/ C.L. "Butch" Otter  
Governor

March 2, 2012

Mr. Speaker:

I return herewith enrolled [H 417](#), [H 393](#), as amended, [H 455](#), [H 475](#), [H 446](#), and [H 358](#), as amended in the Senate, which have been signed by the President.

NOVAK, Secretary

Enrolled [H 417](#), [H 393](#), as amended, [H 455](#), [H 475](#), [H 446](#), and [H 358](#), as amended in the Senate, were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 1, 2012

Mr. Speaker:

I transmit herewith [S 1275](#), [S 1332](#), [S 1340](#), and [S 1331](#) which have passed the Senate.

NOVAK, Secretary

[S 1275](#), [S 1332](#), [S 1340](#), and [S 1331](#) were filed for first reading.

March 2, 2012  
 Mr. Speaker:  
 I transmit herewith [S 1326](#), [S 1304](#), and [S 1346](#) which have passed the Senate.

NOVAK, Secretary

[S 1326](#), [S 1304](#), and [S 1346](#) were filed for first reading.

March 2, 2012

Mr. Speaker:  
 I return herewith [H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#) which have passed the Senate.

NOVAK, Secretary

[H 574](#), [H 419](#), [H 466](#), [H 467](#), [H 468](#), [H 498](#), and [H 482](#) were referred to the Judiciary, Rules, and Administration Committee for enrolling.

### Report of Standing Committees

March 5, 2012

Mr. Speaker:  
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed [H 623](#), [H 624](#), [H 625](#), [H 626](#), [H 627](#), [H 628](#), [H 629](#), [H 630](#), [H 631](#), [H 632](#), and [H 633](#).

WILLS, Chairman

[H 623](#), [H 628](#), and [H 630](#) were referred to the Transportation and Defense Committee.

[H 624](#) and [H 627](#) were referred to the Business Committee.

[H 625](#) was referred to the Agricultural Affairs Committee.

[H 626](#) and [H 633](#) were referred to the Education Committee.

[H 629](#) and [H 632](#) were referred to the State Affairs Committee.

[H 631](#) was referred to the Health and Welfare Committee.

March 5, 2012

Mr. Speaker:  
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed House amendments to [H 562](#) and [S 1274](#).

WILLS, Chairman

March 5, 2012

Mr. Speaker:  
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed [H 562](#), as amended.

WILLS, Chairman

[H 562](#), as amended, was filed for first reading of engrossed bills.

March 5, 2012

Mr. Speaker:  
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled [HCR 33](#) to the Secretary of State at 11:07 a.m., as of this date, March 2, 2012.

WILLS, Chairman

March 5, 2012

Mr. Speaker:  
 We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled

[H 394](#), [H 438](#), [H 405](#), and [H 469](#) to the Governor at 11:10 a.m., as of this date, March 2, 2012.

WILLS, Chairman

March 1, 2012

Mr. Speaker:

We, your COMMITTEE ON COMMERCE AND HUMAN RESOURCES, report that we have had under consideration [H 573](#) and report it back with amendments attached to be placed on General Orders for consideration.

BLOCK, Chairman

[H 573](#) was placed on General Orders for consideration.

March 2, 2012

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration [H 594](#) and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

[H 594](#) was placed on General Orders for consideration.

March 2, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 440](#) and [HCR 44](#) and recommend that they do pass.

MCGEACHIN, Chairman

[H 440](#) and [HCR 44](#) were filed for second reading.

March 2, 2012

Mr. Speaker:

We, your COMMITTEE ON HEALTH AND WELFARE, report that we have had under consideration [H 566](#) and report it back with amendments attached to be placed on General Orders for consideration.

MCGEACHIN, Chairman

[H 566](#) was placed on General Orders for consideration.

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration [H 576](#), [H 599](#), and [S 1298](#) and recommend that they do pass.

LOERTSCHER, Chairman

[H 576](#), [H 599](#), and [S 1298](#) were filed for second reading.

March 5, 2012

Mr. Speaker:

We, your COMMITTEE ON EDUCATION, report that we have had under consideration [S 1299](#) and recommend that it do pass.

NONINI, Chairman

[S 1299](#) was filed for second reading.

There being no objection, the House advanced to the Eighth Order of Business.

### Introduction, First Reading, and Reference of Bills and Joint Resolutions

### HOUSE BILL NO. 634 BY REVENUE AND TAXATION COMMITTEE AN ACT

RELATING TO INCOME TAXES; AMENDING SECTION 63-3029, IDAHO CODE, TO CLARIFY THE CREDIT FOR TAXES PAID TO OTHER STATES; DECLARING AN EMERGENCY AND PROVIDING RETROACTIVE APPLICATION.

[H 634](#) was introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

[S 1274](#), as amended in the House, by Transportation Committee, was introduced, read the first time by title, and filed for second reading.

[S 1275](#), [S 1332](#), and [S 1340](#), by Judiciary and Rules Committee, were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee.

[S 1331](#), by Finance Committee, was introduced, read the first time by title, and referred to the Education Committee.

[S 1326](#), by Health and Welfare Committee, was introduced, read the first time by title, and referred to the Health and Welfare Committee.

[S 1304](#), by Agricultural Affairs Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

[S 1346](#), by Finance Committee, was introduced, read the first time by title, and referred to the Agricultural Affairs Committee.

#### First Reading of Engrossed Bills

[H 562](#), as amended, by Revenue and Taxation Committee, was introduced, read the first time by title, and filed for second reading.

#### Second Reading of Bills and Joint Resolutions

[H 621](#) and [H 622](#), by Appropriations Committee, were read the second time by title and filed for third reading.

[H 518](#), [H 582](#), [H 591](#), and [H 593](#), by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

[H 572](#), by State Affairs Committee, was read the second time by title and filed for third reading.

[S 1225](#), [S 1226](#), [S 1227](#), [S 1228](#), and [S 1268](#), by Commerce and Human Resources Committee, were read the second time by title and filed for third reading.

[H 604](#) and [H 605](#), by Education Committee, were read the second time by title and filed for third reading.

[S 1301](#) and [S 1314](#), by Education Committee, were read the second time by title and filed for third reading.

[H 496](#), by Resources and Conservation Committee, was read the second time by title and filed for third reading.

[S 1291](#), by Resources and Environment Committee, was read the second time by title and filed for third reading.

#### Third Reading of Bills and Joint Resolutions

Mr. Nonini asked unanimous consent that [H 605](#) be returned to the Education Committee. There being no objection, it was so ordered.

#### [H 478](#) - LIQUOR BY THE DRINK

[H 478](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Henderson to open debate.

Pursuant to Rule 38(3), Mrs. McGeachin disclosed a conflict of interest regarding [H 478](#).

The question being, "Shall [H 478](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Barbieri, Barrett, Bilbao, Black, Buckner-Webb, Burgoyne, Chadderdon, Chew, Cronin, Eskridge, Guthrie, Henderson, Higgins, Jaquet, Killen, King, Nessel, Patrick, Pence, Ringo, Rusche, Schaefer, Sims, Smith(30), Trail. Total – 26.

NAYS – Andrus, Bateman, Batt, Bayer, Bedke, Bell, Block(Block), Bolz, Boyle, Collins, Crane, DeMordaunt, Ellsworth, Gibbs, Hagedorn, Hart, Hartgen, Harwood(DeVries), Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nielsen, Nonini, Palmer, Perry, Raybould, Roberts, Shepherd, Shirley, Simpson, Smith(24), Stevenson, Thayne, Thompson, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 43.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 478](#) failed to pass the House and ordered the bill filed in the office of the Chief Clerk.

#### [H 569](#) - UNIFORM CONTROLLED SUBSTANCES

[H 569](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Loertscher to open debate.

Pursuant to Rule 38(3), Mr. Loertscher disclosed a conflict of interest regarding [H 569](#).

The question being, "Shall [H 569](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 569](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 570](#) - PEACE OFFICERS

[H 570](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Palmer to open debate.

The question being, "Shall [H 570](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 570](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 577](#) - MEDAL OF HONOR

[H 577](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Crane to open debate.

The question being, "Shall [H 577](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 577](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 553](#) - CIVIL OFFICES

[H 553](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Trail to open debate.

The question being, "Shall [H 553](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs,

Guthrie, Hagedorn, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – Hart. Total – 1.

Absent and excused – Lacey, Vander Woude. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 553](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 575](#) - TRADEMARK FILING AND RENEWAL

[H 575](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Guthrie to open debate.

The question being, "Shall [H 575](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 67.

NAYS – None.

Absent and excused – Black, Lacey, Vander Woude. Total – 3.

Total – 70.

Whereupon the Speaker declared that [H 575](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 588](#) - EDUCATION

[H 588](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hartgen to open debate.

The question being, "Shall [H 588](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Chadderdon, Collins, Crane, DeMordaunt, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Killen, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Roberts, Schaefer, Shepherd, Shirley, Simpson, Sims, Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 56.

NAYS – Buckner-Webb, Burgoyne, Chew, Cronin, Ellsworth, Higgins, Jaquet, King, Moyle, Ringo, Rusche, Smith(30), Smith(24). Total – 13.

Absent and excused – Lacey. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 588](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 590](#) - PUBLIC CHARTER SCHOOLS

[H 590](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. DeMordaunt to open debate.

Pursuant to Rule 38(3), Mr. DeMordaunt disclosed a conflict of interest regarding [H 590](#).

The question being, "Shall [H 590](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 590](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 615](#) - APPROPRIATION - CATASTROPHIC HEALTH CARE COST PROGRAM

[H 615](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wood(27) to open debate.

The question being, "Shall [H 615](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 615](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 616](#) - APPROPRIATION

[H 616](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall [H 616](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Lake, Marriott, McGeachin, Nessel, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shepherd, Shirley, Simpson, Smith(30), Smith(24), Stevenson, Thompson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 50.

NAYS – Barbieri, Barrett, Batt, Boyle, Crane, DeMordaunt, Hart, Harwood(DeVries), Loertscher, Luker, McMillan, Moyle, Nielsen, Nonini, Palmer, Sims, Thayne, Wood(35). Total – 18.

Absent and excused – Lacey, Schaefer. Total – 2.  
Total – 70.

Whereupon the Speaker declared that [H 616](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 617](#) - APPROPRIATION

[H 617](#) was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall [H 617](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.  
Total – 70.

Whereupon the Speaker declared that [H 617](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle asked unanimous consent that the House recess until 1:30 p.m.

Without objection, the Speaker declared the House at recess until 1:30 p.m.



RECESS  
Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Prior to recess, the House was at the Eleventh Order of Business.

**H 618 - APPROPRIATION - DIVISION OF HUMAN RESOURCES**

H 618 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bolz to open debate.

The question being, "Shall H 618 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 65.

NAYS – None.

Absent and excused – Bayer, Bedke, Jaquet, Lacey, Smith(24). Total – 5.

Total – 70.

Whereupon the Speaker declared that H 618 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 595 - VICTIM NOTIFICATION FUND**

H 595 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Wills and Mr. Luker to open debate.

Mr. Crane asked unanimous consent that, pursuant to Rule 38(3), he be excused from voting on H 595 due to a conflict of interest. There being no objection, it was so ordered.

The question being, "Shall H 595 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Henderson, Higgins, Jaquet, Killen, King, Loertscher, Luker, McMillan, Nessel, Nielsen, Nonini, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Shepherd, Shirley, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Mr. Speaker. Total – 55.

NAYS – Barbieri, Barrett, Boyle, Harwood(DeVries), Lake, Marriott, McGeachin, Moyle, Palmer, Schaefer, Simpson, Sims, Wood(35). Total – 13.

Absent and excused – Lacey. Total – 1.

Excused from voting – Crane. Total – 1.

Total – 70.

Whereupon the Speaker declared that H 595 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 495 - STATE ENDOWMENT LANDS**

H 495 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Vander Woude and Mr. Burgoyne to open debate.

The question being, "Shall H 495 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bilbao, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 66.

NAYS – Bell, Black, Stevenson. Total – 3.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that H 495 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 549 - LIENS**

H 549 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thompson to open debate.

The question being, "Shall H 549 pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that H 549 passed the House. Title was approved and the bill ordered transmitted to the Senate.

**H 550 - BUSINESS ENTITY NAMES**

H 550 was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. DeMordaunt to open debate.

The question being, "Shall [H 550](#) pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Patrick, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 69.

NAYS – None.

Absent and excused – Lacey. Total – 1.

Total – 70.

Whereupon the Speaker declared that [H 550](#) passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [H 523](#), as amended, - UNEMPLOYMENT INSURANCE

[H 523](#), as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Thayne to open debate.

The question being, "Shall [H 523](#), as amended, pass?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Barbieri, Barrett, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Crane, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hagedorn, Hart, Hartgen, Harwood(DeVries), Henderson, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, McGeachin, McMillan, Moyle, Nessel, Nielsen, Nonini, Palmer, Pence, Perry, Raybould, Ringo, Roberts, Rusche, Schaefer, Shepherd, Shirley, Simpson, Sims, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 68.

NAYS – None.

Absent and excused – Lacey, Patrick. Total – 2.

Total – 70.

Whereupon the Speaker declared that [H 523](#), as amended, passed the House. Title was approved and the bill ordered transmitted to the Senate.

#### [HCR 46](#) - DARRELL V. MANNING

[HCR 46](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Ms. Jaquet and Mr. Black to open debate.

The question being, "Shall [HCR 46](#) be adopted?"

Whereupon the Speaker declared [HCR 46](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

#### [HCR 48](#) - IDAHO EDUCATION ASSOCIATION

[HCR 48](#) was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall [HCR 48](#) be adopted?"

Whereupon the Speaker declared [HCR 48](#) adopted by voice vote and ordered the resolution transmitted to the Senate.

#### [HCR 40](#), as amended, - PAY POLICIES - STATE EMPLOYEES

[HCR 40](#), as amended, was read the third time at length and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Hartgen to open debate.

The question being, "Shall [HCR 40](#), as amended, be adopted?"

Roll call resulted as follows:

AYES – Anderson, Andrus, Bateman, Batt, Bayer, Bedke, Bell, Bilbao, Black, Block(Block), Bolz, Boyle, Buckner-Webb, Burgoyne, Chadderdon, Chew, Collins, Cronin, DeMordaunt, Ellsworth, Eskridge, Gibbs, Guthrie, Hart, Hartgen, Higgins, Jaquet, Killen, King, Lake, Loertscher, Luker, Marriott, Moyle, Nessel, Nielsen, Palmer, Pence, Perry, Raybould, Ringo, Rusche, Shepherd, Shirley, Smith(30), Smith(24), Stevenson, Thayne, Thompson, Trail, Wills, Wood(27), Wood(35), Mr. Speaker. Total – 54.

NAYS – Barbieri, Barrett, Crane, Hagedorn, Harwood(DeVries), Henderson, McGeachin, McMillan, Nonini, Roberts, Schaefer, Simpson, Sims, Vander Woude. Total – 14.

Absent and excused – Lacey, Patrick. Total – 2.

Total – 70.

Whereupon the Speaker declared [HCR 40](#), as amended, adopted and ordered the resolution transmitted to the Senate.

Mr. Moyle asked unanimous consent that the remaining bills on the Third Reading Calendar retain their places for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Fourth Order of Business.

#### Consideration of Messages from the Governor and the Senate

March 5, 2012

Mr. Speaker:

I transmit herewith [S 1371](#) which has passed the Senate.

NOVAK, Secretary

[S 1371](#) was filed for first reading.

There being no objection, the House advanced to the Eighth Order of Business.

#### Introduction, First Reading, and Reference of Bills and Joint Resolutions

[S 1371](#), by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

There being no objection, the House advanced to the Sixteenth Order of Business.

**Adjournment**

Mr. Moyle moved that the House adjourn until 8 a.m., Tuesday, March 6, 2012. Seconded by Mr. Rusche. Motion carried.

Whereupon the Speaker declared the House adjourned at 2:35 p.m.

LAWERENCE DENNEY, Speaker

ATTEST:

BONNIE ALEXANDER, Chief Clerk